

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

ROBERT BREEDING,

Plaintiff,

v.

Case No. 2:21-cv-119-JLB-NPM

UNUM LIFE INSURANCE COMPANY  
OF AMERICA,

Defendant.

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**ORDER**

Before the Court is an Unopposed Motion for Leave to File Unredacted Administrative Record on CD Under Seal (Doc. 15). Defendant Unum Life Insurance Company requests that the Court permit it to file its administrative record on a CD under seal without redaction of sensitive information. (Doc. 15, p. 1). The administrative record is 1,319 pages and contains documents with confidential and sensitive financial, medical, and personal identifying information of Plaintiff Robert Breeding. (Doc. 15, p. 2). Thus, Unum Life seeks to file the administrative record under seal to prevent public disclosure of Breeding's confidential information. Breeding has no objection. (Doc. 15, pp. 2-3). Further, Rule 5.2(b)(2) exempts from redaction a record of an administrative or agency proceeding.

Unum Life has generally complied with Local Rule 1.11(c).<sup>1</sup> It has shown the reason why filing the administrative record is necessary, why sealing is necessary, and why partial sealing, redaction, or means other than sealing is unavailable or unsatisfactory. M.D. Fla. Rule 1.11(c). While Unum Life did not propose a duration for sealing, the Court excuses any further compliance with Local Rule 1.11.

The proper method to file an administrative record under seal is to have the Clerk's Office electronically file under seal the administrative record on the docket. Accordingly, the Unopposed Motion for Leave to File Unredacted Administrative Record on CD Under Seal (Doc. 15) is **GRANTED in part**. Unum Life will deliver to the Clerk's Office an envelope with the caption of the case. The envelope will contain a copy of this Order and a flash drive with the administrative record in

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<sup>1</sup> Local Rule 1.11(c) provides as follows:

If no statute, rule, or order authorizes a filing under seal, a motion for leave to file under seal:

- (1) must include in the title "Motion for Leave to File Under Seal";
- (2) must describe the item proposed for sealing;
- (3) must state the reason:
  - (A) filing the item is necessary,
  - (B) sealing the item is necessary, and
  - (C) partial sealing, redaction, or means other than sealing are unavailable or unsatisfactory;
- (4) must propose a duration of the seal;
- (5) must state the name, mailing address, email address, and telephone number of the person authorized to retrieve a sealed, tangible item;
- (6) must include a legal memorandum supporting the seal; but
- (7) must not include the item proposed for sealing.

searchable PDF format. The Clerk will upload the administrative record under seal on CM/ECF and return the flash drive to the sender.

**ORDERED** in Fort Myers, Florida on July 7, 2021.

  
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NICHOLAS P. MIZELL  
UNITED STATES MAGISTRATE JUDGE